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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,531	03/11/2004	Toru Takeuchi	42530-6900	8497

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EXAMINER

BOWER, KENNETH W

ART UNIT	PAPER NUMBER
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3653

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/799,531

Applicant(s)

TAKEUCHI, TORU

Examiner

Kenneth W Bower

Art Unit

3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4-8, 10 and 11 is/are rejected.
- 7) ☐ Claim(s) 2, 3 and 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 03/11/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 9 objected to because of the following informalities: Claim 9 is dependent upon itself. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4-7 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Polidoro (US 5,676,366) in view of Mays et al. (US 5,641,157).

Polidoro (US 5,676,366) discloses a banknote storing section (3), for storing and receiving a banknote from the receiving unit (Fig. 1), a mover unit (6), a standby position (home position Fig. 3), and a moved position and position (with the bill below the retaining lips of Fig. 1), mover driving unit (28), rotating driving unit (1), a rotating force in a clockwise and counterclockwise direction (abstract, lines 14 and 15), moved position detecting unit (30), controlling unit (29) pivotable lever (13), pivoting shaft (27), left mover (15), right mover (16), left and right mover cooperation (Fig. 2), gears conducting rotational forces (inherent with generating force against spring 10), part of the mover driving unit outside of the storing unit (motor and gears of Fig. 3) and frictional transporting unit (7).

Polidoro (US 5,676,366) lacks a means for receiving the banknotes, a separate standby detecting unit, electric motor and plurality of gears.

Mays et al. (US 5,641,157) discloses a banknote receiving unit (20) with a banknote storing unit (22), removably positioned therein an electric motor (30), and a plurality of gears (140-142).

It would have been obvious to one of ordinary skill at the time of the invention to modify the disclosures of Polidoro (US 5,676,366) with the teachings of Mays et al. (US 5,641,157) in order to validate the currency as stated in the abstract of Mays et al. (US 5,641,157)

Polidoro (US 5,676,366) modified by Mays et al. (US 5,641,157) discloses the subject matter of the claims except that it applies an integrated sensor detecting multiple positions in place of the combination of the discrete home position sensor and the discrete moved position sensor of the claimed invention to sense the mover positions. However, these combinations of elements were art recognized for performing the same function at the time of the invention in those sensing applications where it is immaterial whether the integrated multiple position sensor or multiple discrete position sensors are used for sensing multiple positions. Therefore, it would have been obvious to one of ordinary skill to modify the reference with the combination of two discrete position sensors to facilitate sensing the position of the mover unit. *In re Kerkhoven*, 626 F.2d 846, 850, 205 USPQ 1069, 1072 (CCPA 1980).

Allowable Subject Matter

4. Claims 2, 3 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: A banknote moving system of claim 1 or 4 in combination with a sector gear, pivotable lever with a sector gear, mover gear inside the storing unit is not found nor is sufficient motivation found to make the combination in the art of record.


Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth W Bower whose telephone number is 703-306-4546. The examiner can normally be reached on 6:30AM to 3:30PM (out on alternate Fridays).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Walsh can be reached on 703-308-2560. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kenneth W Bower
Examiner
Art Unit 3653

03/16/2005



DONALD R. WALSH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3653